

BOARD BILL # 199 INTRODUCED BY ALDERWOMAN PHYLLIS YOUNG

1 An Ordinance recommended and approved by the Board of Estimate and Apportionment
2 authorizing and directing the Director of Airports and the Comptroller for the City of St. Louis
3 (the "City") to enter into and execute on behalf of the City a Ninth Amendment to the Indenture
4 of Lease (AL-60) between the City and Lambert Field Fueling Facilities Corporation (the
5 “Lessee”) at Lambert-St. Louis International Airport® dated July 1, 1955 (the “Lease”),
6 authorized by Ordinance 47554 approved June 28, 1955, as amended by the “First Amendment”
7 (undated), authorized by Ordinance 57108 approved January 30, 1976, the “Second
8 Amendment” dated October 1, 1977, authorized by 57585 approved April 3, 1978, the “Third
9 Amendment” dated December 10, 1984, authorized by Ordinance 59330 approved December 7,
10 1984, the “Fourth Amendment” dated November 9, 1994, authorized by Ordinance 63292
11 approved October 14, 1994, the “Fifth Amendment” dated March 13, 1996, authorized by
12 Ordinance 63670 approved March 12, 1996, the “Sixth Amendment” dated January 12, 2006,
13 authorized by Ordinance 66927 approved December 14, 2005, the “Seventh Amendment” dated
14 February 20, 2007, authorized by Ordinance 67358 approved December 19, 2006, and the
15 “Eighth Amendment” dated December 27, 2007 authorized by Ordinance 67785 approved
16 November 30, 2007; this “Ninth Amendment”, which was approved by the City’s Airport
17 Commission and the City’s Board of Estimate and Apportionment and is attached hereto as
18 **ATTACHMENT “A”** and made a part hereof, extends the term of the Lease as previously
19 amended by one (1) year to December 31, 2009; containing a severability clause; and containing
20 an emergency clause.

21 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

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Sponsor: Alderwoman Phyllis Young

SECTION ONE. The Director of Airports and the Comptroller for the City of St. Louis (the “City”) are hereby authorized and directed to enter into and execute on behalf of the City a Ninth Amendment to the Indenture of Lease (AL-60) between the City and Lambert Field Fueling Facilities Corporation (the “Lessee”) at Lambert-St. Louis International Airport® dated July 1, 1955 (the “Lease”), authorized by Ordinance 47554 approved June 28, 1955, as amended by the “First Amendment” (undated), authorized by Ordinance 57108 approved January 30, 1976, the “Second Amendment” dated October 1, 1977, authorized by 57585 approved April 3, 1978, the “Third Amendment” dated December 10, 1984, authorized by Ordinance 59330 approved December 7, 1984, the “Fourth Amendment” dated November 9, 1994, authorized by Ordinance 63292 approved October 14, 1994, the “Fifth Amendment” dated March 13, 1996, authorized by Ordinance 63670 approved March 12, 1996, the “Sixth Amendment” dated January 12, 2006, authorized by Ordinance 66927 approved December 14, 2005, the “Seventh Amendment” dated February 20, 2007, authorized by Ordinance 67358 approved December 19, 2006, and the “Eighth Amendment” dated December 27, 2007 authorized by Ordinance 67785 approved November 30, 2007; this “Ninth Amendment” was approved by the City’s Airport Commission and the City’s Board of Estimate and Apportionment and is to read in words and figures substantially as set out in **ATTACHMENT “A”**, which is attached hereto and made a part hereof.

SECTION TWO. The sections, conditions, or provisions of this Ordinance or portions thereof shall be severable. If any section, condition, or provision of this Ordinance or portion thereof contained herein is held invalid by a court of competent jurisdiction, such holding shall not invalidate the remaining sections, conditions, or provisions or portion thereof of this

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1 Ordinance unless the court making such finding shall determine that the valid portions standing
2 alone are incomplete and are incapable of being executed in accord with the legislative intent.

3 **SECTION THREE.** This being an ordinance for the preservation of public peace,
4 health, or safety, it is hereby declared to be an emergency measure as defined in Article IV,
5 Section 20 of the City Charter and shall become effective immediately upon its approval by the
6 Mayor of the City.

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